

Grant County Planning Commission

Monthly Meeting

June 24, 2002

Members of the Planning Commission in attendance:

Mr. Stephen Fritz, Mr. William Marksberry, Mr. William Covington, Mr. Stephen Mann, Ms. Brooke Rider, Mr. Vernon Webster (Vice-Chairman), Mr. James Weigel, Mr. Marvin Faulkner, Mr. John Lawrence (Chairman).

Staff present: Mr. Jonathan Britt: Planning Director/Administrator

Mr. Thomas R. Nienaber: Legal Counsel

Mr. Raymond Erpenbeck: Engineering Consultant

* Chairman Lawrence began by reading a letter from Mr. Sam Womble announcing his resignation from the Grant County Planning Commission as the City of Corinth representative. In Mr. Womble's letter, he stated that it was getting more difficult to schedule his travel time around Planning Commission meetings and Continuing Education classes. Mr. Womble stated that he had enjoyed his time on the Planning Commission but didn't think that it was fair to not put as much time as was needed into the position.

Chairman Lawrence expressed the feelings of the Planning Commission members as well as the staff in bidding Mr. Womble good luck in his future ventures and a deep appreciation for the time served as a member of the Commission.

Item 1. – Monthly Meeting Minutes – April and May – With no monthly meeting minutes for the May meeting, a motion was made by Mr. Vernon Webster to approved the April minutes with Mr. Stephen Fritz's name being removed as present at the April meeting and moving the May monthly meeting minutes until next month. Mr. Marvin Faulkner seconded the motion. All voting in favor; motion carries.

Item 2. – Monthly Financial Report – April and May. With no April Financial report, Mr. Stephen Mann made the motion to approve the May Financial report with a change in the "Commission" pay and "Britt's" pay being corrected and to wait until next month for any action on the April Financial report. Mr. Stephen Fritz seconded the motion. All in voting in favor; motion carries.

Item 3. – Administrator's Report – Mr. Britt reminded the Commission that tomorrow (June 25, 2002) will be the Zoning Ordinance Sub-Committee meeting at 7:00 P.M. in the main courtroom of the Courthouse. The general public as always is welcome to attend.

Item 4. – Zone Change A-1 to R-R – DeLand on Humes Ridge Road – Mr. Doug DeLand was present for the hearing. Chairman Lawrence opened the public hearing. In asking if anyone wished to speak for or against the zone change request. No one spoke for or against the zone change request. Chairman Lawrence then closed the public hearing portion of the meeting and deferred to questions from the Commissioners and the recommendation of the Planning Director. Mr. Britt's recommendation is attached hereto as Exhibit #4A. Mr. Britt's recommendation was approval of the zone change request because it was consistent with the Adopted Comprehensive Plan. (Please see attached Exhibit # 4A for Mr. Britt's specific recommendation.) Mr. Stephen Mann questioned Mr. DeLand on how many homes were currently on the property. Mr. DeLand stated that there was currently one mobile home; a single wide, 1969 model. Mr. DeLand presented the Commission with a set of deed restrictions for the property in question, which are attached hereto as Exhibit # 4B. Mr. Stephen Mann asked Mr. DeLand if he would be willing to stipulate that there would be no further subdivision of the 7.4 -Acre tract. Mr. DeLand was acceptable to such a condition. Mr. Stephen Mann made a motion to approve the zone change request based on the findings of fact presented during the hearing and that the zone change request was consistent with the adopted Comprehensive Plan. Mr. Vernon Webster seconded the motion. All members present voted in favor of the motion; motion carries. Chairman Lawrence stated that the recommendation of the Commission would be forwarded to the Grant Fiscal Court.

Item 5. – Zone Change A-1 to A-2; R-1 – Maudie Gray Estate on Napoleon Zion Station Road – Mr. Donnie Gray (executor) was present for the zone change request. Chairman Lawrence opened the public hearing and asked if anyone would like to speak for or against the zone change request. Mr. Donnie Gray was asked by Chairman Lawrence to explain his application. Mr. Gray stated that his mother had recently passed away and that they needed a zone change in order to sell the land at public auction. Mr. Gray stated that there would only be stick built homes on the property and he would stipulate to that condition. Mr. John Hays, an adjoining property owner of the Gray's property, asked where the R-1 lots would be. Mr. Gray and Mr. Britt answered that the R-1 lots would be on the west side of Napoleon Zion Station Road. Mr. Hays asked, "If I still farm the land across the road, can the people that build those houses on those lots make me stop farming?" Chairman Lawrence stated that this would not change his property zoning classification and that if anyone bought one of those lots, they would have to assume that there would continue to be farming operation across the road in the open field. Mr. Vernon Webster asked Mr. Gray if Napoleon Zion Station was a typical county road (i.e. narrow and curvy). Mr. Gray answered yes. Chairman Lawrence asked if anyone else would like to speak for or against the zone change request. Hearing and seeing no one step forward; Chairman Lawrence closed the public hearing portion of the meeting and deferred to the Commission members for questions and the Planning Director for his recommendation. Mr. Britt read his recommendation into the record. A copy of Mr. Britt's recommendation is attached as Exhibit 5A. Mr. Britt's recommendation was denial of the zone change request because it was not consistent with the Adopted Comprehensive Plan, there was no clear and definable survey depicting exactly where the lots where to be created and that the division may constitute a "major" subdivision as defined in the Subdivision Regulations of Grant County, Kentucky. Mr.

Britt further explained that the property evaluated for its compliance with the Adopted Comprehensive Plan failed to meet some of the determining factors. Please see attached exhibit for those factors. Mr. James Weigel asked Mr. Gray if a school bus and a car met on the roadway, would one of them have to get off the road to let the other pass? Mr. Carl Gray stepped to the podium and said no; that buses have run up and down the road with no trouble before. Mr. Britt stated that one concern and one reason for his recommendation was the narrowness of the roadway. If 11 more lots were created on this roadway, it could cause traffic problems. Mrs. Hays then spoke up to say that the road was very narrow and that two cars could not pass each other without one of them getting off onto the shoulder of the roadway. Mr. Gray stated that some of the lots wouldn't have houses built on them. Mr. Britt asked Mr. Gray... "Then why get those lots re-zoned?" Mr. Gray said that he had talked to some of the adjoining property owners and they were willing to buy the lots at public auction "for the right price." Mr. Britt asked if the property owners didn't buy the adjoining lots, would they not be developable lots? Mr. Gray reluctantly answered yes. Mr. Stephen Mann made a motion to approve the zone change request with the condition that the lots not be further subdivided. Mr. William Marksberry seconded the motion. Mr. Vernon Webster asked Mr. Britt and Mr. Erpenbeck if this would not be considered a "Major" subdivision. Mr. Britt and Mr. Erpenbeck stated that it would be considered a "major" subdivision. With no other questions on the motion, Mr. Stephen Mann, Mr. Stephen Fritz and Mr. William Marksberry voted in favor of the motion to approve the zone change with the conditions that the lots not be further subdivided. Mr. James Weigel, Mr. Marvin Faulkner, Mr. Vernon Webster, Ms. Brooke Rider and Mr. William Covington voted no on the motion. Motion fails on a five to three vote. Chairman Lawrence announced that the vote was to deny the application. Mr. Nienaber, legal counsel for the Planning Commission, stated that a motion was needed for denial of the application. A motion to deny the application was made by Mr. James Weigel, and seconded by Ms. Brooke Rider based on the findings of the public hearing and that the request was not consistent with the Adopted Comprehensive Plan. Mr. James Weigel, Mr. Marvin Faulkner, Mr. Vernon Webster, Ms. Brooke Rider and Mr. William Covington voted in favor of the motion to deny the zone change request. Mr. Stephen Mann, Mr. Stephen Fritz and Mr. William Marksberry voted no on the motion. Motion passes on a five to three vote. Chairman Lawrence stated that the Planning Commission's recommendation would be forwarded to the Grant Fiscal Court.

Item 6. – Site Plan – Sponcil Properties LLC – A letter was presented and read from the City of Dry Ridge Board of Adjustments and is hereto attached as Exhibit 6A. Mr. Jerry Keith of JFK and Associates was present for Mr. Sponcil. Mr. Keith passed out the site plans to the Commission and asked that the Planning Commission waive the sidewalk requirement on the property. Chairman Lawrence read the recommendation of Mr. Raymond Erpenbeck into the minutes of which a copy is attached as Exhibit 6B. Mr. Vernon Webster explained his frustration that anyone would have the guts enough to ask that the sidewalk not be put in place. Mr. Marvin Faulkner made a motion to approve the site plan and not to waive the requirement of the sidewalk in front of the property. Mr.

William Covington seconded the motion. All members of the commission voted in favor of the motion. Motion carries.

Item 7. – Site Plan – R W Jackson Inc. – Mr. Jerry Keith of JFK and Associates was present for Mr. Jackson and distributed the site plan to the Commission members. Mr. William Covington asked what type of building would this be? Mr. Keith explained that he wasn't exactly sure but knowing Mr. Jackson he was sure that it would be done correctly and look nice. Chairman Lawrence read the recommendation of Mr. Raymond Erpenbeck into the minutes, of which a copy is attached as Exhibit 7A. A motion was made by Mr. Jim Weigel to approved the site plan as presented. Seconded by Ms. Brooke Rider. All members of the Planning Commission preset voted in favor of the motion. Motion carries.

Item 8. – Executive Session – Chairman Lawrence asked for a motion to go into executive session to discuss personnel. Ms. Brooke rider made the motion and was seconded by Mr. Stephen Mann. All voting in favor; motion carries and the Commission members retire to Executive session. Chairman Lawrence asks for a motion to come out of Executive session with no action or votes being taken while in Executive Session. A motion to come out of Executive Session was made by Mr. Marvin Faulkner seconded by Ms. Brooke Rider. All voting in favor; motion carries.

Item 9. – Other Business – none

Item 10. – Adjournment – Motion made Mr. William Marksberry and a second by Ms. Brooke Rider to adjourn the meeting. All voting in favor; motion carries. Chairman Lawrence declared the meeting adjourned at 8:47 P.M.

Mr. John Lawrence, Chairman Date

Mr. Nick Kinman, Secretary Date